IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IAN TORRES, on behalf of himself and all others similarly situated,
 	
             Plaintiff,
 	
     v.
 	
U.S. VISION, INC. and USV OPTICAL, INC.,
 	
             Defendants.
	Case No. 22-cv-06558
	
	Motion Day: February 6, 2023

BONITA ODELL, individually and on behalf of all others similarly situated,
 	
             Plaintiff,
 	
     v.
 	
U.S. VISION, INC., USV OPTICAL, INC., and NATIONWIDE OPTOMETRY, P.C.,
 	
             Defendants.
	Case No. 22-cv-06753

LACIE MORGAN, individually and on behalf of all others similarly situated,
 	
             Plaintiff,
 	
     v.
 	
U.S. VISION, INC. and USV OPTICAL, INC.,
 	
             Defendants.
	Case No. 22-cv-07485

ORDER GRANTING PLAINTIFFS' MOTION TO CONSOLIDATE AND
APPOINT INTERIM CO-LEAD COUNSEL

WHEREAS, Plaintiffs Ian Torres, Bonita Odell, and Lacie Morgan have filed a motion for an order requesting consolidation of the three above-captioned actions and appointment of interim co-lead counsel; and

WHEREAS, the Court has carefully reviewed the motion, including the brief and declaration attached thereto and all files, records, and prior proceedings to date in this matter, and good cause appearing based on the record.

NOW THEREFORE, IT IS ORDERED that:

1.   The following related actions shall be consolidated for all purposes before the Honorable Christine P. O'Hearn, U.S.D.J., and Sharon A. King, U.S.M.J. : *Torres v. U.S. Vision, Inc., et al.*, No. 22-cv-06558 (D.N.J.), *Odell v. U.S. Vision, Inc., et al.*, No. 22-cv-06753 (D.N.J.), and *Morgan v. U.S. Vision, Inc., et al.*, No. 22-cv-07485 (D.N.J.) (hereinafter, the "Consolidated Action"). The *Torres* case is designated as the lead case. All papers filed in the Consolidated Action shall be filed in Case No. 22-cv-06558 and shall bear the following caption:

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

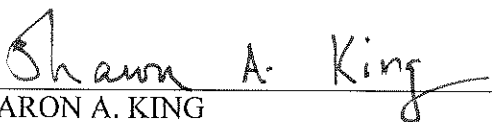|	
IN RE U.S. VISION DATA BREACH LITIGATION	Lead Case No.: 22-cv-06558
This Document Relates To:	

2.   The Court appoints Ben Barnow of Barnow and Associates, P.C., Terence R. Coates of Markovits, Stock & DeMarco, LLC, and Jean S. Martin of Morgan & Morgan as Interim Co-Lead Counsel to lead the Consolidated Action and to assure the orderly prosecution of the Consolidated Action, with the responsibilities set forth below:

a.   Finalizing and filing all pleadings, briefs, motions, and other papers on behalf of Plaintiffs and the putative class;

b.   Initiating, coordinating, and conducting all pretrial discovery for the benefit of Plaintiffs and the putative class, including causing the issuance of interrogatories, document requests, requests for admission, subpoenas, and examining witnesses at depositions;

c.   Conducting all settlement negotiations on behalf of Plaintiffs and the putative class;

d.   Acting as the spokesperson for Plaintiffs and the putative class at pretrial proceedings in response to the Court's inquiries, subject to any right of individual Plaintiffs' counsel to present non-repetitive, individual or different positions as directed by the Court;

e.   Conducting trial and post-trial proceedings;

f.   Conducting all appeals;

g.   Consulting with and employing consultants and experts as they may deem appropriate;

h.   Negotiating and entering into stipulations with Defendants regarding the litigation;

i.   Monitoring the activities of plaintiffs' counsel to ensure that schedules are met and unnecessary expenditures of time and money are avoided;

j.   Coordinating and communicating with Defendants' counsel with respect to the matters addressed in this paragraph; and

k.   Performing such functions as may be expressly authorized by further orders of the Court.

3.   Initial deadlines for the Consolidated Action are as follows:

a.   Plaintiffs shall file a Consolidated Complaint no later than 30 days following entry of this Order;

b.   Defendants shall file an answer or otherwise respond to the Consolidated Complaint within 60 days of the filing of the Consolidated Complaint;

c.   Defendants need not file a response to the Complaints in *Odell* and *Morgan*.

IT IS SO ORDERED.

Dated: __2/21/23__

SHARON A. KING
United States Magistrate Judge

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